

**DECLARATION OF MICHAEL SMITH
PURSUANT TO 28 U.S.C. § 1746**

I, Michael Smith, hereby depose as swear as follows:

1. My name is Michael Smith. I am the Clinical Manager of Behavioral Health Services at Meritus Health in Hagerstown, Maryland. I am a Licensed Clinical Social Worker. In the year 2000, I was a Masters of Social Work intern at Stone Bridge Respite, a division of Brook Lane Health Services in Maryland. Stone Bridge houses children and adolescents in need of short-term therapeutic residential placement. As a part of my work there, I had therapy sessions with some of the youth. Travis Mullis was one of the clients I had individual therapy sessions with.

2. Travis' whole case stuck out in my memory. I tried to have as many sessions as possible with Travis. He was a respectful kid who obeyed the staff, but he was reluctant to talk about his past. I remember he got upset once when we were trying to work on his issues. Talking about his past was so painful, he was often closed off. In fact, I noted in Travis' records that he was afraid I would abandon him like everyone else in his life had. I remember him feeling it didn't make sense for him to open up to me knowing I would be gone in a few weeks and he would have to start over with a new therapist. I couldn't blame him for that. I did leave before he did. However, even if I hadn't- Stone Bridge was a temporary placement and he would not be placed there with any therapist long.

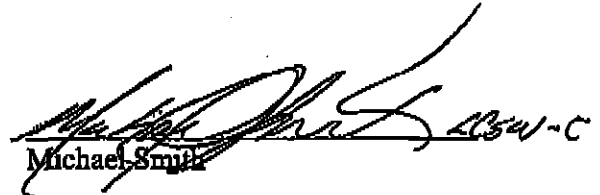
3. Travis had a lot of troubles from his past. He was abused as a child and his abuse played major role in how he ended up placed at Stone Bridge. He had flashbacks of the abuse he suffered. He felt he didn't have anyone he could talk to or trust to open up to about these issues. He was a sweet kid and a small runt of a boy. He sought out the attention and approval of staff and his peers alike. He tried hard to fit in with his peers, but he did not. He was one of the few white adolescent

clients. He had a different background than his peers who were from tougher, more urban environments. He was small and immature compared to the other clients there.

4. Travis was very friendly, always respectful and did not have outbursts. Those are the main things I recall about Travis. I never heard anything about him being involved sexually with any of his roommates. If anyone at Stone Bridge had been aware of any incidents of sexual abuse, they would have been required to report such an incident pursuant to Maryland's mandatory reporting law.

5. Until very recently, no one working on Travis' case came to talk to me about Travis. No one working for Travis' defense spoke with me before his trial. If they had, I would have told them all of the information above. I would have testified at Travis' trial if I had been subpoenaed to do so.

I hereby certify that the facts set forth above are true and correct to the best of my personal knowledge, information, and belief, subject to the penalty of perjury, pursuant to 28 U.S.C. § 1746.


Michael Smith